

DAVID K. BERTAN
ATTORNEY AT LAW
41 EAST 11TH STREET, 11TH FLOOR
NEW YORK, NEW YORK 10003

(718) 742-1688
E-MAIL: DBERTAN@YAHOO.COM

January 13, 2025

Via ECF

Hon. P. Kevin Castel, United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: USA v. Eugene Austin
23-Cr-508 (PKC)

Dear Judge Castel:

Mr. Austin's sentencing is currently set for February 20, 2025 at 11:00 AM. Based on the Pre-Sentence Report, Mr. Austin faces a possible guideline range of 292-365 months. We have recently learned of several issues that we believe should be explored prior to sentencing. We are respectfully requesting an adjournment to allow a mitigation consultant to obtain records and materials and interview family members in order to present these issues to the Court for sentencing. We have consulted with Meredith Schriver, a mitigation consultant, and an adjournment to early April will allow her to gather the information and help us present it to the Court. The Government has no objection to adjourning sentencing to the first two weeks of April.

Very truly yours,


David K. Bertan

DKB

cc: AUSA Steven Kochevar (via ECF)
AUSA Olga Zverovich (via ECF)
AUSA Matthew Weinberg (via ECF)

The jury returned 2/1.
its verdict on September 20, 2024. The time has come for sentencing; it is presently scheduled for April 1, 2025, or 5 months after the verdict. Application DENIED
SO ORDERED
JSD
1/13/25